

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James F. Thaxter, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

F031244 Visalia Community Bank v. Brylka

Cause called and argued by Thomas E. Campagne, Esq., counsel for appellant and by Lloyd L. Hicks, Esq., counsel for respondent.

Cause ordered submitted.

The court adjourns.

F029259 People v. Romero

F031797 In re Anthony Armijo Romero on Habeas Corpus

Appellant's petition for rehearing filed herein is denied.

F035075 In re Stephen G., a Minor

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F033341 People v. White

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033232 People v. Skelton

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033353 People v. Watson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F032089 People v. Gamez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031573 People v. Brooks

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F033484 Van Fossen et al. v. Van Fossen

To the extent the trial court's interlocutory judgment ordered partition and the appointment of a referee to facilitate the division, the judgment is affirmed. Insofar as the judgment directs physical partition, the judgment is reversed and the matter is remanded for partition by sale and division of the proceeds including consideration of equitable setoff as discussed in this opinion. Each party shall bear that party's own costs on appeal. Vartabedian, J.

We concur: Ardaiz, P. J.; Moffat, Pro Tem J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030864 People v. Teixeira

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033414 People v. Helms

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F035144 Daniel M. v. Superior Court, Fresno Co.; Fresno Co. Dept. of Children & Family Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030055 People v. Cortez

The judgment of conviction is affirmed. The sentence is modified as follows: appellant is sentenced to life in prison with a minimum term of 75 years. The trial court is directed to correct the abstract of judgment to reflect the modification of the sentence and to correct the number of actual days of presentence custody attributed to count 2 from 240 to 243. The trial court shall send a certified copy of the corrected abstract to the Department of Corrections. Thaxter, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032460 Lopez, et al. v. Chowchilla District Memorial Hospital

The order of the trial court is reversed and the cause remanded to the trial court for further proceedings consistent with this opinion. Levy, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030350 People v. James

The judgment is affirmed. Thaxter, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032346 People v. Harris

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F031486 People v. Ramsey

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.